

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MALEEHA AHMAD	)	
	)	
and	)	
	)	
ALISON DREITH,	)	
	)	
<i>on behalf of themselves and a class of</i>	)	
<i>similarly situated individuals,</i>	)	No. 4:17-cv-2455
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
CITY OF ST. LOUIS, MISSOURI,	)	
	)	
Defendant.	)	

**DECLARATION OF CHRIS SOMMERS**

I, Chris Sommers, declare as follows:

1. I am over the age of 18. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to those facts if called as a witness.
2. At approximately 8:30 p.m. on Friday, September 15, 2017, I arrived at my restaurant, Pi Pizzeria, at the northeast corner of McPherson and Euclid Avenues in the Central West End neighborhood of St. Louis, Missouri.
3. I watched hundreds of people participate in a peaceful march and protest, which proceeded north up Euclid Avenue and its adjacent sidewalks. The march passed by Pi.
4. I observed the guests at my restaurant, as well as my staff, and I did not see anyone appear to be frightened. In fact, I saw some current guests cheer on the protestors

and, among the protestors, saw some of my regular guests. My staff and I offered cups of water to the protestors.

5. Though they chanted and waved signs in order to garner attention of nearby business patrons, none of the protestors physically intimidated me, my guests, or my staff.

6. The protestors did not damage my property, and I did not see damage done to any property around me.

7. Eventually, I saw the protestors continue north on Euclid Avenue. I saw normal vehicular traffic resume going both west and east on McPherson Avenue.

8. I sat at a table on the Pi patio with a friend and a couple of clergy members for approximately one hour after the protestors had passed by.

9. Everything seemed calm to me. At that point, guests were eating at outdoor tables on my patio and conversing normally.

10. Around 11 p.m., I decided to go home, so I walked to my vehicle.

11. No protestors or other pedestrians blocked my way to my vehicle, which had been undisturbed throughout the evening.

12. I drove by Pi on McPherson and happened to glance toward the south.

13. I was surprised to see a line of St. Louis Metropolitan police officers dressed in riot gear marching north up Euclid toward the Euclid and McPherson intersection.

14. I saw dozens of officers. They were wearing gas masks, full helmets, and other protective equipment, and they were carrying full-body shields and batons.

15. I parked my vehicle and ran back to my restaurant.

16. I saw the officers fan out across Euclid Avenue at the crosswalk just south of McPherson, blocking any route of egress to the south, including via the sidewalks. They were armed with weapons, including pepper guns.

17. I heard some officers beat their batons against the ground or their shields.

18. Even while the officers were blocking Euclid Avenue, vehicles continued driving west and east on McPherson, unimpeded by any pedestrians or protestors.

19. There were only a few pedestrians at the intersection, and I saw no pedestrian committing any crime or even blocking the street.

20. One of the officers fired a pepper gun into the air.

21. I yelled repeatedly at the officers from across the street because I was baffled about why they were there; I shouted at them to stop intimidating my guests and my staff. My restaurant was still open and serving customers.

22. At least one officer continued to shoot a pepper gun.

23. I saw my guests and my staff retreat inside the restaurant.

24. I yelled frantically at the officers to stop attacking us.

25. An officer shot a tear gas canister directly at Pi.

26. A man standing next to me threw it away from the restaurant.
27. The officers rushed us.
28. I ran inside the restaurant with a few other people and got the door locked.
29. I had to close down the restaurant for the night.
30. I bought dinner for everyone who was left.
31. I helped my staff members get out safely and find rides to their homes.
32. Using my smartphone, I recorded three videos during this incident. I was recording when the officers rushed me. The videos are attached to this declaration and fairly and accurately depict what I saw.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 25<sup>th</sup> day of September, 2017.

By:   
Chris Sommers